

## **REMARKS**

Reconsideration of this application and allowance of the claims is respectfully requested.

An extension of time of two months is requested to respond to the Office Action, so that the due date for response will be August 30, 2005. A check for \$225 is enclosed as the small entity extension fee. Please charge deposit account no.19-1351 of Seyfarth Shaw LLP for any added fees that may be required.

In response to the objection to the drawings, a corrected drawing sheet including Figure 2 is enclosed, with deletion of one each of the reference numerals 46 and 50.

The amendments to the claims are supported by the disclosure of this application, particularly with respect to claim language added. See at the top eight lines of page 3 and the last 3 lines of page 5.

The Examiner has rejected the claims as unpatentable over Meeker U.S. Patent 4,943,113 in view of Miller U.S. Patent 5,908,223 and Apfel U.S. Patent 5,746,448.

As the Examiner states, Meeker discloses a child restraint system including a seat body and belts or harnesses 32. However, Meeker fails to disclose the harness side portion with the connectible latch or retention member.

Miller, in turn discloses a child seat restraining system with harness side portions having connectible latches that connect to a central latch 134, in a manner that it is well known. However, here also, there are no "extensible members" which are biased to retract toward one of said laterally spaced positions, as called for in claim 1, pulling the connectable latches with them.

Turning to Apfel, this discloses a seat belt holder which has a single holder, relating to a single strap, and is not for a child seat having "...a seat body having

opposed side wall portions...” as called for in claim 1. Further, Apfel fails to show “...a retention harness comprising opposed harness side portions, each harness side portion having a connectible latch...” as called for in claim 1. Likewise, Apfel fails to show “...a retention member carried on each side wall to connect and hold said latch in a laterally spaced position from the other latch, to facilitate the placement of a child into the safety seat prior to latching said retention harness latches together...” with the extensible members being “...biased to retract toward one of said laterally spaced positions...” so they are not “...normally caught underneath a child that is placed in the seat,” as claim 1 requires.

Instead, all that Apfel shows is a single belt 1 and a single latch 3, which can swing from its closed, retaining position of the dotted lines, to its side position of Fig. 1 where it attaches to retaining member 7. This retaining member is carried on a flexible holding means having segments 11 which, as in the bridging paragraph of columns 3 and 4: “... can be squashed into short lengths as in Fig. 5 or stretched as in Fig. 6.” The purpose of this fairly minimal length change is as indicated at column 4, lines 1 through 3: “The ability of the segments 11 to alter their dimensions allows the angle of the belt holder to be changed as well as its length.” See Figs. 7 and 8, and the paragraph of column 3, lines 36-47, in which the purpose of the flexible holding means is to permit variation of the position at which seat belt 1 is held. As stated:

“The retaining member 7 is attached to a flexible holding means. The flexible holding means is made of sections or segments 11 resiliently attached to each other so that the angles between the segments maybe altered so as to vary the position at which the seat belt is held. The connections are stiff enough to prevent the upwards pull of

the belt from altering the position once set. Figs. 7 and 8 respectively show the belt being held in two different positions without any corresponding adjustment having been made to the position of the seat attachment.”

From this, it can be seen that a relatively small extensibility is provided by flexible holding means 10.

To the contrary, in this present invention, as in claim 1, the retention member comprises extensible members which extend and retract typically by a distance sufficient to extend into a central latching position, but they are biased to naturally, laterally retract so they are not normally caught underneath a child that is placed in the seat (bridging paragraph of specification pages 2 and 3).

Clearly, this sort of resilient, stretchable structure is not taught in Apfel. Apfel, in turn, relates to a different system, not to a baby seat like that of Meeker, so that it is submitted that while the combination of references raised by the Examiner is inappropriate, even if the combination is made, the child safety seat of this invention as defined in claim 1 and the other claims is simply not taught.

Furthermore, the attention of the Examiner is directed to claims 3, 9 and 18, where a “hook” member is called for (see hook member 40 and 40a of this application).

It is further submitted that no such hook members are taught in any combination of the prior art. As seen in Fig. 2, hook member 40 can engage an aperture of a conventional latch to provide the function of this invention when latch 28 is not connected with central latch 36.

Furthermore, the attention of the Examiner as directed to claims 5, 6 and similar claims, where, respectively, the extensible members can either comprise a line or strap

carried on a spring-biased rotary spool, or they may comprise a stretchable line or strap. This is in contrast to the retaining member of Apfel, which is carried by the flexible holding means, and which is "... stiff enough to prevent the upwards pull of the belt from altering the position once set" (column 3, lines 40-42).

Turning to claim 9, as previously stated, the hook member of the retention member is required, contrary to the cited prior art, and the degree of extension provided by the extensible member, and the function, as before, is significantly, patentably different from what is taught in Apfel.

Claims 11 and 12 provide the spring biased spool or the stretchable line or strap discussed above.

Accordingly, it is submitted at claim 9 and its dependent claims are patentable.

Turning to independent claim 16, and its dependent claims, here also the extensible members are biased to retract toward laterally spaced positions, and are also sufficiently extensible to substantially extend to the third, centrally placed latch member, shown as reference numeral 36 in Fig. 1. This shows a large degree of extension for entirely different purposes, when compared with the segments 11 of Apfel.

Dependent claims 21 and 22 have similar distinction.

In view of the above, it is submitted that the references as cited by the Examiner, whether considered alone or in combination, are patentably distinguished by the claims of this application.



Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Aug. 19, 2005.

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